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NOTES ON "FRAGMENTS OF A ZADOKITE WORK"

THE text of this remarkable document which Prof. Schechter has published in the first volume of his 'Documents of Jewish Sectaries' (Cambridge 1910) is unfortunately in a very defective and corrupt condition. The learned editor has succeeded by his numerous and very felicitous emendations in smoothing over many of the difficulties of the text and in making its contents intelligible to the reader. But in a considerable number of passages the corruptions are so deep-seated that they have baffled the ingenuity and skill of Prof. Schechter himself. The difficulties which surround the text and its contents will never be solved adequately without some fresh discoveries, which, as the editor remarks slyly in his Preface (p. iv), might even be made 'almost simultaneously. I venture nevertheless to give below a few corrections and restorations which occurred to me in the course of a careful perusal of the document, and most of which, I need hardly say, are of a purely hypothetical character.

Page 1, line 16. **ולסיע נבול** read **ולסיג נ' (= ולהסיג)**. The phrase is an adaptation of Deut. 19, 14; comp. p. 5, l. 20.

P. 2, l. 8. **דורות מדם** rd. **דורותיהם** which would be parallel to the preceding **מעשיהם**.

1. 10. **ונהיות ער**. I would suggest that **ער = לְעֶר**, 'Happenings of eternity.' The phrase would thus be paralleled to the preceding **הוי עולמים**, and identical with **נהיות עולם** (p. 13, l. 8). The suggestion of the Rev. J. A. Montgomery (p. LIX) to combine **ער** with the following **מה** in the sense of the Syriac **ערמא**, is altogether inappropriate. The language of the work is singularly free from all direct Aramaic influences. The

only distinct Aramaism, as distinguished from Mishnic expressions, to be found in the document is ער לא (Mishnic (ער שלא), p. 10, l. 10. Contrast with ובטרם, p. 2, l. 7.

- P. 4, l. 2. מעליהם rd. מעליהם as in the original passage Ez. 44, 15.
1. 3. והנלויים seems to refer to proselytes of the Sect; comp. Isa. 56, 6; Esther 9, 27.
1. 12. מצורו rd. מצורו as in Habak. 2, 1. The meaning of the passage seems to be as follows: 'At the completion of the End according to the number of these years, no man must re-join the House of Judah; but every one must stand on his *watch-tower*. For the wall (of separation) is built, the statute (or the true religion, according to the Sect) is removed (from Judah to Damascus).'
1. 19. החוץ (= החיץ). The editor's rendering 'wall' does not quite give the exact meaning of the word. The word which means 'partition,' seems to be used here in the sense of 'frail and shaky fence' as opposed to the נרר (1. 12 above) 'the strong stone fence' of the Sect. The opponents of the Sect are accused of having removed the ancient boundary at the instigation of 'the man of mockery,' the 'preacher of lies' (pp. 1, l. 14; 5, l. 20), and of having afterwards erected a חייץ which they 'daubed with untempered mortar' (pp. 8, l. 12; 19, l. 24). In the place of the stringent ruler of the Sect, which the latter claimed to have been the original law of God as revealed to the ancient, their opponent set up a lax discipline which must lead to irreligion.
- P. 5, l. 19. בהושעו את ישראל בראשונה rd. בהושעו את ישראל את הראשונה.
- P. 6, l. 16. ומהון. The editor emends ומהון. Perhaps the text is to be retained, the meaning being that the opponents of the Sect appropriate the property of the Sanctuary for their own use (מעילה).
1. 17. ולהבריל, etc. Adaptation from Ezekiel 22, 26, with the verbs transposed; so below, p. 12, l. 19 f.
- P. 8, l. 6. ויתעלמו איש בשאר. The editor reads וימעלו. Perhaps rd. משאר ... ויתעלמו; comp. Isa. 58, 7.

- l. 7. ויתנברו. The editor reads ויתמכרו. Better read ויתנברו, as in text B, p. 19, l. 19.
- P. 9, l. 11. ממאר 'of the property,' comp. p. 12, l. 10. The editor's emendation ממועד (= מאהל מועד) would be greatly improved by reading במועד. The passage would then read as follows: 'If anything is lost, and it is not known who has stolen it, then in the Meeting-place of the camp in which the theft has been committed, the owner shall adjure by the oath of the curse,' etc. מועד would correspond to בית כנסת (comp. Ps. 74, 8; Soṭah 9, 15 בית וועד), and would be identical with בית השתחות, p. 11, l. 22. Perhaps השתחות בית is a later alteration, under the influence of Arabic, of the original בית מועד (comp. also Job 30, 23). See the Editor's Introd., p. xxv.
- l. 16 ff. The Law of Evidence. I would propose to read in l. 21 אחר for אחר and in l. 22: ועל החוק יוכלו שני עידים יקבלו [להיות] נאמנים כלו.... I would regard החוק as an ordinary statute, the transgression of which does not entail the death penalty, in contradistinction to דבר מות in l. 17. The law would thus be as follows: If a man commits a capital crime in the presence of one witness, he should be charged by the witness before the Censor who should make a record of the charge. If the man should commit again the same crime in the presence of one witness only, then the matter must be reported to the Censor, and when the man is caught committing the crime a third time, he is to suffer the death penalty. If, however, there are only two faithful witnesses against him, he is only to be excluded from the Purity (whatever that may mean). But if the charge is not one involving the death penalty (= החוק), then two witnesses are sufficient for condemnation to the prescribed penalty, and one for exclusion from the Purity. This requirement of three witnesses in a capital charge, and of two in an ordinary charge, may, perhaps, be based upon a peculiar interpretation of the Scriptural text "at the mouth of two witnesses or at the mouth of three witnesses" (Deut. 17, 6;

19, 15; comp. also Sifre and Ibn Ezra to the first passage). The power of the Judge to combine the independent testimony of single witnesses in capital charges is against Rabbinic law; comp. Babli Makkot 6b.

- P. 10, 1. 18. The editor points וְרַק, and combines it with the following אֵל: 'And surely none shall,' etc. This cannot possibly be correct. The word should be pointed וְרַק, being a second adjective to the preceding דָּבָר: 'a base and vain word.'
1. 20. I think the reading of the text חֲפָצִי may be correct. The meaning of the law would be that work which is permitted on the Sabbath, should only be performed in the house and not in the field. Or, perhaps, it is a prohibition against preparing, on week days, Sabbath things in the field. The editor's interpretation that the prohibition is directed against *planning* work on the Sabbath can hardly be applied to the words לַעֲשׂוֹת אֶת עֲבוֹדָת, etc.
1. 21. אֵל. Rd. perhaps, עַד.
- P. 11, 1. 4. שׁוּפִים. Rd. probably שׁוּפוֹ. The final ם may be ditto-graphed from the following ב.
1. 23. ת ... The editor restores השַׁבָּת (a misprint for בַּשַּׁבָּת?), though he confesses to be unable to explain the meaning of the passage. I doubt, however, whether the passage has anything to do with the Sabbath. The laws of the Sabbath are concluded in 1. 18 with the prohibition respecting sacrifice on the Sabbath. This prohibition leads naturally to the injunction that an unclean person should not be allowed to contaminate the altar (1. 18-21). And this in its turn suggests the law that no unclean person should enter the House of Worship (1. 21-22). Then follows our present passage which seems also to be connected with the House of Worship (1. 22 ff.): וְבַהֲרַע חֲצוֹצְרוֹת הַקֹּהֵל יִתְקַרֵּם אוֹ: יִתְאַחֵר וְלֹא יִשְׁבִּיתוּ אֶת הָעֲבוֹדָה כּוֹלָה... ת קודש הוא. I would suggest to take הַקֹּהֵל as the subject of the following verbs, and to restore עֲבוֹדָת for ת ... "And when the trumpets sound forth (to summon to divine service), let the Congregation come early or come late; and let them not disturb the whole service: it is a holy service." The passage would

thus contain a prohibition against worshippers filing into the House of Prayer while the Service is in progress. They should either come before the Service begins, or after it is over, when they may form a quorum for a new Service or pray privately; comp. the blowing of the horn on the eve of the Sabbath, Babli Shabbat 35*b*.

- P. 12, l. 5. ירפא. I would suggest to read ורפה "Men must watch him whether he will *relax* (from breaking the Sabbath)." The editor's translation 'whether *he be healed* of it,' is hardly suitable in this connection.

- l. 22-23. תהל...בקץ מושב. I would restore as follows: וזה סרך מושב המחנות להתהלך בהם בקץ הרשעה "And this is the usage of the settlement of *the camps to walk in them* (viz. the laws, understood) in (the period of) the end of wickedness." Comp. p. 13, l. 20 and p. 6, l. 10. The preceding lines (19-22) speak of the settlement in cities, and form probably the epilogue to the laws contained in pp. 9-12, many of which can only have their application in the larger settlements of the Sect, e. g. the laws relating to evidence and judges (p. 9, l. 16ff.); laws relating to the altar and the Sanctuary (p. 11, l. 17 ff.; p. 12, l. 1 f.). The present passage, however, introduces laws relating to the small village settlements (מחנות), their constitution and their government by the priest or Censor, which extend from p. 13, l. 1 to p. 14, l. 12.

- P. 13, l. 2. ובקום is quite unsuitable to the context. Read probably ובמקום 'And in the place where there are ten.'

- l. 10. ל... מ... דים. The editor (p. LII, n. 7) remarks that the MS. suggests some such words as למתי זדים or לעתי ז'. I would, therefore, restore לאשר מיר זדים "He shall loose all the bonds of their knots, (namely) of *him who* is oppressed and crushed in his Congregation by *the hand of the presumptuous ones*."

- l. 16. נה... (ועשה). The editor thinks that נה... points to the reading מחנה; but this would produce no intelligible meaning. I would restore אִמְנָה 'a sure covenant,' or contract; comp.

p. 20, l. 12; Nehem. 10, 1 (Heb.); and the Rabbinic עוֹשִׂין אִמְנָה (Babli B. Meṣi'a 63a) in a slightly different sense. See also Kohut, s. v. The passage will therefore read thus: "No man shall perform a thing as buying or selling, unless he has spoken to the Censor, and he (the Censor) shall make a covenant between the parties."

- l. 17. לְמַנְרֵשׁ. The editor translates 'to him who expels,' and remarks (p. LIII, n. 22): "Perhaps it reads לְמַנְרֵשׁ 'open place.' " Neither of these explanations is quite satisfactory. Who expels, and whom? Again, how would 'open place' suit the context? In view of the fact that the whole section beginning in l. 7 (זֶה סֵדֶר הַמְּבַקֵּר לְמַחֲנֶה) and ending in l. 20 (זֶה מוֹשֵׁב הַמַּחֲנוֹת), deals exclusively with the duties and powers of the Censor, I would make bold to retain the editor's pointing לְמַנְרֵשׁ, but to translate the passage as follows: "And so in the case of him *who divorces* his wife. And he (viz. the Censor) shall" The missing words may have contained some enactment that a divorce should only be granted through the Censor. Just as commercial transactions had to be ratified by the Censor (l. 15-16; comp. last note), so also was the Censor's permission required in cases of divorce. עֲנוּהוּ in next line may perhaps stand for עֲנוּהָ (note the *waw* at the beginning of next word!), which should be compared with Deut. 22, 24. Note also the following וּבִאֲהַבְתָּ חֵטִי... (?) חֲטָאֵת).

The interpretation of the passage as referring to divorce would, of course, be rendered untenable if we accept the editor's theory that our Sect was opposed to divorce (Introd., p. xvii, and note 16 with the references). But no explicit prohibition of divorce is to be found in our text. The passage upon which the editor bases his theory (p. 4, l. 20 ff.), is only directed against polygamy. There is nothing in that passage to prohibit a man from divorcing his wife, if, for example, she is found to be immoral. In such a case the man would have to remain celibate, a condition which would be in complete accordance with the ascetic tendencies of our Sect.

P. 14, l. 15 ff. Restore as follows: ולבתולה אשר אין לה גואל ולאיש
... אשר אין לו דורש כל עבודת פרך ולא...
notes, p. LIV, § XVIII, 9-II, and additional note to the pas-
sage, p. LVIII.

l. 20. רקר.... Read, perhaps, מבקר.

P. 16, l. 14. The editor suggests בחוקה after ישראק. Perhaps באונם
would be more suitable; comp. אונם in the preceding line.

P. 20, l. 17 f. I would restore as follows: ושבִּי פשע [ב]יעקב שמרי
ברית אל או נדברו איש אל רעהו לכוּן איש את אחיו
turned from transgression in *Jacob*, who kept the covenant
of God, then *spake* one to another, *that every man might*
establish his brother"; comp. p. XLIV, note 40, and Mal. 3,
16, from which also the following words are derived.

l. 28 f. After אל I would restore as follows: חטאנו רשענו גם
אנחנו; comp. Dan. 9, 15.

I may add here a few words to supplement the instructive but
meager observations of the editor on the linguistic character of
the document (Introd., p. XI). The work is written throughout
in the biblical style, but needless to say this style was with the
author an artificial mode of expression. The imperfect consecutive
is used throughout text A, wherever Classical Hebrew would have
used it. But in text B, the simple perfect is often found where
we should expect the imperfect consecutive; comp. p. 19, l. 30-31;
p. 20, l. 11, 23, 31, 32. Likewise, the perfect consecutive is used
regularly wherever the classical style requires it. Exceptions are
p. 9, l. 17 (contrast l. 19); p. 13, l. 6; p. 14, l. 4, p. 15, l. 8.

The infinitival construction is also very common, e. g. p. 1, l.
4; p. 7, l. 20; p. 15, l. 11. The infinitive is found in a nominal
sense in p. 8, l. 5 f. The infinitive is used to express obligation
in p. 4, l. 11; p. 9, l. 23.

The genitive is expressed by the construct state. Circumlocu-
tion of the genitive is found a few times but only with ל, p. 12,
l. 6; p. 13, l. 5, 7, 13. A chain of constructs is found in p. 12,
l. 18. Apposition is perhaps found in p. 4, l. 6, 9; p. 7, l. 5; p. 20,
l. 5, 7.

The relative is always **אשר**.—**ש** is only found once, and that in text B, p. 20, l. 4.

The iteration of an act is expressed by the auxiliary **שוב** p. 9, l. 19. Note the forms **אחיהו** p. 6, l. 20, etc. **פיהו**, p. 10, l. 1, etc. **כלהו** (?) p. 12, l. 21. **ו** as an adversative p. 5, l. 8; p. 9, l. 6. So **כי** p. 12, l. 4. The numeral stands after the noun in p. 1, l. 9-10, etc. p. 14, l. 21.

In the vocabulary note the use of **יורה** for **מורה**, p. 3, l. 8; p. 6, l. 11; p. 20, l. 14 (contrast l. 1, 28). **ינואל** for **יטמא**, p. 12, l. 16. **מאר** 'possession' p. 12, l. 10; perhaps also p. 9, l. 11; comp. above the note on this passage. **בחון** p. 13, l. 3. **מבונן** p. 10, l. 6; p. 13, l. 2; p. 14, l. 7. **בהוכיח** p. 9, l. 3, 18. **שלום** (= **תם** p. 20, l. 4); p. 4, l. 8, 10. **עגלי הדבורים** p. 12, l. 12. To the Mishnic expressions enumerated by the editor (*l. c.*) add **יטול** p. 11, l. 10. **ימרא** p. 11, l. 12 (comp. Kohut, *s. v.*, V, 235*a*). **יילר** p. 11, l. 13. **טמא כבוס** p. 11, l. 22. **עד** 'while,' but not followed by **ש**, p. 12, l. 15. Note the form **נאמנות** (= **נאמנה**) p. 7, l. 5; p. 19, l. 1; p. 14, l. 2, which is still used in "Yiddish," a dialect which has preserved quite a considerable number of colloquial expressions from ancient Hebrew. With the use of **סרך**; comp. the Rabbinic expression **סרך בתה**, etc. See Kohut, *s. v.*, VI, 138*a*.

The Mishnic usages found in this document may, however, be very old. They are certainly anterior to the Christian era. The general purity of the author's style and grammar, the facility with which he writes in flowing Biblical Hebrew, and his adroitness in twisting round biblical phrases and adapting them for his purpose, all prove him to have belonged to a whole circle of writers who cultivated the composition of books in an early and archaic style in imitation of the earlier canonical literature. In other words, the author belonged to the school of writers from which emanated the Palestinian apocalyptic and pseudepigraphical literature which was certainly composed in a tolerably pure Biblical Hebrew, with a more or less large admixture of Mishnic expressions and forms. The language of the present work affords us, therefore, an excellent illustration of the character and style of the Hebrew

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originals of such works as the Book of Jubilees, the Testaments of the Twelve Patriarchs, and even of the Apocalypses of Baruch and Ezra.

Newcastle-upon-Tyne
England

M. H. SEGAL